

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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ADAM PLETCHER,  
SAMANTHA PLETCHER,

Plaintiffs,

Case No: 20-cv-00811

v.

SPARKPLUG CAPITAL LLC,

Defendant.

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**AFFIDAVIT OF ATTORNEY KEVIN A. CHRISTENSEN IN SUPPORT OF  
SPARKPLUG CAPITAL LLC's MOTION TO DISMISS FOR  
LACK OF PERSONAL JURISDICTION, INSUFFICIENT PROCESS, AND  
INSUFFICIENT SERVICE OF PROCESS**

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STATE OF WISCONSIN                     )  
   ) ss.  
COUNTY OF MILWAUKEE                 )

I, Kevin A. Christensen, an attorney duly sworn upon oath, deposes and states as follows:

1. That your affiant is defense counsel retained to represent Defendant Sparkplug Capital LLC ("Sparkplug") in the above-entitled action and is therefore empowered to make this Affidavit in support of the Sparkplug's Motion to Dismiss Plaintiffs', Adam Pletcher and Samantha Pletcher (collectively "Pletchers"), Complaint for lack of personal jurisdiction, insufficient process, and insufficient service of process.

2. That attached hereto as Exhibit 1 is a true and correct copy of FedEx's "proof-of-delivery" letter pertaining to the FedEx package the Pletchers shipped to Sparkplug's Registered Agent detailing that the package was shipped on August 5, 2020 and delivered on August 7, 2020.

3. That Sparkplug has not returned the Waiver of the Service of Summons nor agreed to waive service of a summons.

4. That I informed Plaintiff Adam Pletcher that service was improper during our call on October 2, 2020, wherein we discussed the required topics delineated under Fed. R. Civ. P. 26(f) and the Joint Report of the Parties' Rule 26(f) Discovery Plan.

5. That I informed Plaintiff Adam Pletcher that service was improper at the Fed. R. Civ. P. 16(b) scheduling conference held on October 28, 2020.


6. That at the Fed. R. Civ. P. 16(b) scheduling conference, Plaintiff Adam Pletcher stated that Plaintiffs relied on incorrect information from the Clerk's office regarding how to effectuate service of process.

7. That at the Fed. R. Civ. P. 16(b) scheduling conference, Plaintiff Adam Pletcher shared that prior to filing this action, the Pletchers were represented by counsel who assisted in the claim process as it relates to this action.

Dated this 18<sup>th</sup> day of November, 2020.

  
Kevin A. Christensen

Signed and sworn to before me on  
this 18th day of November, 2020.

  
Andrea Jahimiak, Notary Public  
My commission expires: permanent





Dear Customer,

The following is the proof-of-delivery for tracking number: 395519901527

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**Delivery Information:**

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<b>Status:</b>	Delivered	<b>Delivered To:</b>	
<b>Signed for by:</b>	E.LAPLANTE	<b>Delivery Location:</b>	
<b>Service type:</b>	FedEx Express Saver		ENGLEWOOD, CO,
<b>Special Handling:</b>	Deliver Weekday; Direct Signature Required	<b>Delivery date:</b>	Aug 7, 2020 10:23

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**Shipping Information:**

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<b>Tracking number:</b>	395519901527	<b>Ship Date:</b>	Aug 5, 2020
		<b>Weight:</b>	
<b>Recipient:</b>		<b>Shipper:</b>	
ENGLEWOOD, CO, US,		Genoa City, WI, US,	

Signature image is available. In order to view image and detailed information, the shipper or payor account number of the shipment must be provided.